

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

KNAUF INSULATION, LLC,	)	
KNAUF INSULATION GmbH,	)	
KNAUF INSULATION SPRL,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 1:15-cv-00111-TWP-MJD
	)	
JOHNS MANVILLE CORPORATION,	)	
JOHNS MANVILLE, INC.,	)	
	)	
Defendants.	)	

**ORDER REGARDING EXPEDITED MOTION**

This matter is before the Court on Defendants’ Expedited Motion for Relief in View of Knauf’s Violation of Local Rule 7-1(e)(1) [Dkt. 560]. The motion was filed in response to the fact that Plaintiffs’ claim construction brief was 66 pages long. Defendants allege that the brief should have conformed to the 35-page limit set forth in Local Rule 7-1(e)(1), and asks that Plaintiffs either be limited to a ten-page responsive brief or be required to refile a conforming opening brief within 24 hours. Plaintiffs respond that Local Rule 7-1 applies only to briefs relating to motions and therefore does not apply to the parties’ claim construction briefs.

The Court, which must read Plaintiffs’ protracted tome, is sympathetic to Defendants’ argument. However, Local Rule 7-1 is entitled “Motion Practice,” and subsection (e)(1), which establishes the 35-page limit, speaks of “supporting” briefs, which refers to briefs in support of motions. While the drafters of the rule may have applied the page limit to claim construction briefs like those at issue here if they had considered the issue, the rule as written is limited to

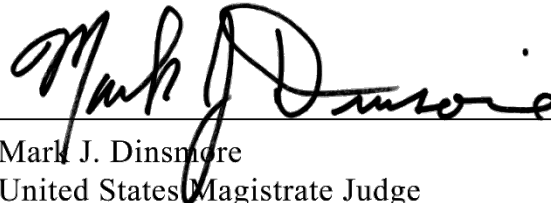
briefs that relate to motions. Accordingly, the Court concludes that the local rules do not provide a page limit for claim construction briefs. Accordingly, Defendants' motion is **DENIED**.

Briefing shall proceed pursuant to the Court's schedule.

That said, the parties are reminded that brevity is the soul of wit; just because the rules permit them to file overly long briefs does not mean that they should do so. Rather, in drafting their response briefs, the parties are reminded that this is one of the busiest federal districts in the United States.<sup>1</sup> Making the effort to articulate arguments as concisely as possible generally leads to more effective briefs.

SO ORDERED.

Dated: 20 SEP 2019

A handwritten signature in black ink, appearing to read "Mark J. Dinsmore", is written over a horizontal line.

Mark J. Dinsmore  
United States Magistrate Judge  
Southern District of Indiana

Distribution:

Service will be made electronically on all ECF-registered counsel of record via email generated by the Court's ECF system.

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<sup>1</sup> In the 12-month period ending June 30, 2019, the weighted filings per judgeship in the Southern District of Indiana stood at 1125, first in the Seventh Circuit—by a factor of two—and second in the nation. See <https://www.uscourts.gov/statistics/table/na/federal-court-management-statistics/2019/06/30-1>.